



City Council Agenda

Council President
Henry Perea

Councilmembers

Tom Boyajian
Brian Calhoun
Brad Castillo

Jerry Duncan
Sal Quintero
Daniel Ronquillo, Acting President

Interim City Manager
Andrew T. Souza

City Clerk
Rebecca E. Klisch

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

TUESDAY, JANUARY 23, 2001

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON www.ci.fresno.ca.us. THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.

9:00 A.M. COUNCIL ROLL CALL

Invocation by Pastor William Nolte of First Baptist Church

Pledge of Allegiance to the Flag

Presentation of Resolution of Commendation to James Washburn For 30 Years of Service to the City of Fresno

Proclamation of "ELMA STERLING DAY" - Councilmember Boyajian

COUNCIL ACTION OF UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA. FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

Approve Council minutes of January 8 and 9, 2001

Action Taken:

Approve Joint Powers Financing Authority minutes of January 9, 2001

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

10:00 A.M.#1

CONTINUED HEARING to consider Rezoning Application No. R-00-05 and environmental findings, filed by Scott Ellis, Jr., for 1.81 acre of property located at 7525 N. Cedar Avenue

Action Taken:

a. Consider and adopt Categorical Exemption for Environmental Assessment No. R-00-41

Action Taken:

b. **BILL** - Amending the Official Zone Map to rezone from R-P/UGM/cz zone district to the R-P/UGM/cz zone district

Action Taken:

10:00 A.M.#2

HEARING to consider Plan Amendment Application No. A-99-35, proposing to amend the City's General Plan Resource Conservation Element to update the City's mineral resource management policies

Action Taken:

a. Consider and adopt Negative Declaration for Environmental Assessment No. A-99-35

Action Taken:

b. **RESOLUTION** - Amending the General Plan Resource Conservation Element to update the City's resource management policies

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED
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- 10:10 A.M.** **CONTINUED HEARING** to consider Rezoning Application No. R-00-41 and environmental findings, filed by Heald Colleges, for 5.66 acres of property located at 255 W. Bullard Avenue
Action Taken:
a. Consider and adopt the Negative Declaration for Environmental Assessment
 No. R-00-41
 Action Taken:
b. **BILL** - Amending the Official Zone Map to rezone from R-1-C zone district to the
 C-P /cz zone district
 Action Taken:
- 10:20 A.M.#1** **TEFRA HEARING** regarding the issuance by the California Mobilehome Financing authority of Mobilehome Park Revenue Bonds to finance the acquisition and renovation of the Franciscan and Towne & Country Mobilehome Parks Projects
(Continue to January 30, 2001 @ 10:20 a.m.)
Action Taken:
- 10:30 A.M.** **HEARING** to consider Rezoning Application No. R-00-036 and environmental findings, filed by Colburn Thomason, for 19.4 acres of property located at the east side of N. Van Ness Blvd. between W. Alluvial and the San Joaquin River Bluffs
Action Taken:
a. Consider and adopt the Negative Declaration for Environmental Assessment No. T-4959,
 R-00-36, C-00-218
 Action Taken:
b. **BILL** - Amending the Official Zone Map to rezone from R-1-EH/BP/UGM zone district to the
 R-1-A/BP/UGM and R-1-A/UGM zone districts
 Action Taken:
- 10:35 A.M. - 10:45 A.M. - BREAK**
- 10:45 A.M.** **CONTINUED HEARING** to consider Rezoning Application No. R-00-038 and environmental findings, filed by Trend Homes, Inc., for 8.06 acres of property located at the southwest corner of W. Bullard Avenue and N. Carnegie Avenue
Action Taken:
a. Consider and adopt the Negative Declaration for Environmental Assessment No. R-00-38
 Action Taken:
b. **BILL** - Amending the Official Zone Map to rezone from AE-5/UGM zone district to the
 C-M/BA-15/UGM zone district
 Action Taken:
- 11:00 A.M.** Presentation by P G & E regarding energy situation - Council President Perea and Councilmember Duncan
Action Taken:
a. Council discussion/direction regarding resolution outlining recommendations to address the situation
 Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

2:00 P.M.#1 **DISCUSSION OF CONTESTED CONSENT ITEMS (IF ANY)**

2:00 P.M.#2 **CLOSED SESSION**

- A. CONFERENCE WITH LABOR NEGOTIATOR** - Government Code Section 54957.6
City Negotiator(s): Jorge Aguiniga, Andrew T. Souza and Matthew Gargiulo
Employee Organization(s):
 1. International Association of Firefighters, Local 753 Non-Management Fire (IAFF)
 2. International Association of Firefighters, Local 753 Fire Management (IAFF)**Action Taken:**
- B. CONFERENCE WITH LEGAL COUNSEL - DECIDING WHETHER TO INITATE LITIGATION** - Government Code Section 54956.9, Subdivision (c)
 1. **Case Name:** City v. City of Clovis, LAFCO, and County of Fresno**Action Taken:**
- C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** - Government Code Section 54956.9, Subdivision (a)
 1. **Case Name:** DMP Development Corp. Inc. v. City of Fresno
 2. **Case Name:** A.H.D.C. v. City of Fresno, et al.**Action Taken:**

2:30 P.M. Presentation of request by presiding Justice James A. Ardaiz of California State Court of Appeal, Fifth Appellate District, regarding the space needs of the Court and consideration of Eaton Plaza as potential site for New State Courthouse, and direction to Executive Director
Action Taken:

2:45 P.M. **JOINT MEETING WITH THE REDEVELOPMENT AGENCY**

Approve Agency minutes of January 9, 2001
Action Taken:

AGENCY GENERAL ADMINISTRATION

- A.** Award a contract for asbestos removal and building demolition at 2240 and 2250 Illinois Avenue
Action Taken: (*Agency action*)
- B.** Report on Villa Hermosa Project relating to Lincoln Heights Property/Tall Tree Tenant Trailer and request for staff direction relating to request for relief from governmental liens (\$95,048) and request for \$250,000 additional funding - Acting President Ronquillo (*Council and Agency action*)
Action Taken:

ADJOURN

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

3:15 P.M. Request City Manager to direct staff to return on 1/30/01 with the appropriation budget resolution appropriating \$1.8 million from the State of California for the relinquishment of Ventura/Kings Canyon Road from State Route 99 to Chestnut Avenue - Councilmember Quintero

Action Taken:

3:30 P.M. Appearance by Gary Timan Vigen to discuss and request action regarding the redevelopment of Santa Fe from Mono to Tulare Streets and the Amtrak Station

Action Taken:

4:25 P.M. Appearance by Barbara Hunt to discuss international firefighters

Action Taken:

4:30 P.M. Appearance by George and Michael Donovan on mixed-use office/retail site plan located on the southeast corner of Herndon and Palm Avenues

Action Taken:

1A. GENERAL CONSENT CALENDAR

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.)

1. Accept audit report by Brown Armstrong Certified Public Accountants of the City of Fresno Impact Fee Annual Report for fiscal year ended June 30, 2000, and reject all bids for auditing services - Dept. of Admin. Services/Finance

Action Taken:

2. RESOLUTION - Dedicating certain City-owned property for public street purposes, property located at the southwest corner of Herndon and Brawley Avenues - P.W. Dept./Engineering

Action Taken:

3. RESOLUTION - Approving a License Agreement with the FMC Corporation to install a steel casing, pipes and PVC conduits in the public right-of-way of Church Avenue at Sunland Avenue for groundwater remediation - P.W. Dept./Engineering

Action Taken:

4. Approve acquisition of easement for the Shaw and Fresno intersection project - P.W. Dept./Engineering

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

1A. **GENERAL CONSENT CALENDAR CONTINUED**

5. Approve Contract Change Order No. 1 for alterations at Sanitary Sewer Lift Station No. 1 - P.W. Dept./Capital Mgmt. Division
Action Taken:
6. Approve Contract Change Order No. 8 for Fresno Yosemite International Airport Terminal Area Development, Airside/Landside, FAA AIP #22, 24, 25, 28, 29, 31 and 32 improvement - Airport Department
Action Taken:
7. Submission for informational purposes of the Comprehensive Annual Financial Reports ("CAFR") regarding the financial activities of the City of Fresno Retirement Systems for the fiscal year ending June 30, 2000 - Retirement Division
Action Taken:
8. Amend Agreement with Convergent Group to prepare a strategic plan for the effective utilization of the City's Geographical Information Systems (GIS) to improve services, public safety, and economic development opportunities - Dept. of Public Utilities
Action Taken:
9. **RESOLUTION** - Authorizing submittal of grant application to the California Integrated Waste Management Board for funding under the Park Playground Accessibility and Recycling Grant Program to refurbish the children's play area at Holmes Playground - PR & CS Dept.
Action Taken:
10. **RESOLUTION** - Change of street address confirming a Fir Avenue address of 327 E. Fir Avenue - Development Department
Action Taken:
11. * **RESOLUTION** - 91st amendment to AAR No. 2000-183 moving \$944,000 from contingency in the water enterprise fund and increasing the Wastewater operating appropriations by \$290,200 (***Requires 5 affirmative votes***) - City Manager's Office/Budget Division
Action Taken:
12. * **RESOLUTION** - 92nd amendment to AAR No. 2000-183 appropriating \$24,000 for the Public Works grant writer position (***Requires 5 affirmative votes***) - City Manager's Office/Budget Division
Action Taken:
 - a. * **RESOLUTION** - 14th amendment to PAR Resolution No. 2000-184 adding a grant writer position to the Public Works Department
Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

1A. **GENERAL CONSENT CALENDAR CONTINUED**

13. * **RESOLUTION** - 5th amendment to AAR No. 2000-183 appropriating \$14,600 to add an Accounting Technician position to the Retirement Administration Division for the administration of the Deferred Compensation Program (*Requires 5 affirmative votes*) - City Manager's Office/Budget Division

Action Taken:

1. * **RESOLUTION** - 15th amendment to PAR No. 2000-184 adding an accounting position to the Retirement Division to administer the City's Deferred Compensation Program

Action Taken:

1B. **CONSENT CALENDAR - BILL FOR INTRODUCTION - PINK TABS**

2. **PLANNING AND ZONING ADMINISTRATION**

3. **GENERAL ADMINISTRATION**

- A. Consider adoption of Bill amending Section 3-109 of the Fresno Municipal Code relating to contracts of services, work, equipment, materials and supplies; repealing Resolution No. 94-125 related to the authorization of the contracting for professional consulting services by certain officials and establishment of a policy regarding the presentation of professional consulting service contracts to the Council for its approval

Action Taken:

1. * **BILL NO. B-1 - (Intro. 1/9/01)** - Requiring Council approval for expenditure of City monies greater than the amount applicable to competitive bidding as set forth in Charter Section 1208, currently \$31,000 and adjusted annually (*Alternative 1*)

Action Taken:

2. * **BILL NO. B-2 - (Intro. 1/9/01)** - Requiring Council approval for expenditure of City monies greater than \$100,000 (*Alternative 2*)

Action Taken:

4. **CITY ATTORNEY**

5. **CITY COUNCIL**

- A. Approve reappointment of Dr. Sudarshan Kapoor to the Human Relations Commission (*For adoption*) - Councilmember Duncan

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

5. **CITY COUNCIL ITEM CONTINUED**

- B. Approve appointment of Paul Bernard Smith to the Tower District Specific Plan Implementation Committee; appointment of Gail Gaston to the Human Relations Commission as representative from District 3; and appointment of Marlin Keelings to the Southwest Advisory Committee (*For adoption*) - Acting President Ronquillo
Action Taken:
- C. Council President to appoint Ad Hoc Education Committee - Council President Perea
Action Taken:
- D. * **RESOLUTION** - 89th amendment to AAR No. 2000-183 appropriating \$400 to District 1's general fund infrastructure budget from funds previously designated to the Neighborhood Youth Taught Responsibility Organization and Ethics Program (NYTRO) (*Requires 5 affirmative votes*) - Councilmember Boyajian
Action Taken:
- E. * **RESOLUTION** - 90th amendment to AAR No. 2000-183 appropriating \$4,800 of District 1's general fund infrastructure budget to fund the Tree Fresno Project to landscape the median island at Shields and Fruit Avenues (*Requires 5 affirmative votes*) - Councilmember Boyajian
Action Taken:
- F. **RESOLUTION** - Supporting grant application for Jobs-Housing Balance Improvement Economic Development Planning Grant Program (JHBIP) - Councilmember Ronquillo
Action Taken:
- G. Consider approval for a Council override vote of Resolution No. 2000-380 vetoed by Mayor Patterson on January 2, 2001 (*Council action to override Mayoral veto requires 5 affirmative votes*) - Council President Perea
Action Taken:
1. **RESOLUTION NO. 2000-380** - 8th amendment to Salary Resolution No. 2000-186 regarding the Memorandum of Understanding (MOU) between the City of Fresno and the Fresno Police Officers Association, Non-Supervisory Police Unit 4
Action Taken:
- H. Set hearing on appeal of Planning Commission action regarding Application No. S-00-316, relating to construction of a self-service automobile fueling station, 5638 E. Kings Canyon Road at Clovis Avenue - Councilmember Quintero
Action Taken:

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

**ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION*

7. **UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

SCHEDULED COUNCIL HEARINGS AND MATTERS

- Jan. 30 - 10:00 A.M. HEARING** re: Rezone Application No. R-00-34, filed by Majestic Development
- Jan. 30 - 10:15 A.M. HEARING** re Rezone Appl. No. R-00-048, filed by Fresno Community Hospital
- Jan. 30 - 10:20 A.M. CONTINUED TEFRA HEARING** re: Franciscan & Towne & Country Mobilehome Parks
- Jan. 30 - 10:30 A.M. HEARING** re: Resolution of Necessity for reconstruction and widening of intersection at Ashlan and Cornelia
- Jan. 30 - 10:45 A.M. HEARING** re: Partial Cancellation of ALCC-8 Land Conservation Contract No. 8, filed by Majestic Development Partners @ the southeast corner of Orange and North
- Jan. 30 -** Discussion of funding options on RFP for financial auditing services
- Feb. 6 - 9:00 A.M.** Presentation of P.R.I.D.E. Team Certificates for the Winter Quarter
- Feb. 6 - 10:00 A.M. HEARING** re: Rezone Appl. No. R-00-047, filed by Vineyard Christian Fellowship of Clovis
- Feb. 6 - 11:15 A.M.** Presentation by Paul Fasulo of Gardnyr Michael Capital Leasing regarding downtown parking structure - Acting President Ronquillo
- Feb. 20 - NO MEETING - PRESIDENT'S DAY**
- Feb. 27 - 10:45 A.M. HEARING** re: Plan Amendment No. A-00-10, Text Amendment No. TA-00-06 and CUP No. C-00-173, for a six-story expansion to the St. Agnes Medical Center

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***